OPINION 1060

SUPPRESSION OF *DIOMEDEA LEPTORHYNCHA* COUES, 1866 (AVES)

RULING.- (1) Under the plenary powers, the specific name *leptorhyncha* Coues, 1866, as published in the binomen *Diomedea leptorhyncha*, is hereby suppressed for the purposes of the Law of Priority, but not for those of the Law of Homonymy.

(2) The specific name *irrorata* Salvin, 1883, as published in the binomen *Diomedea irrorata*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2578.

(3) The specific name *leptorhyncha* Coues, 1866, as published in the binomen *Diomedea leptorhyncha*, and as suppressed under the plenary powers in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1012.

HISTORY OF THE CASE Z.N. (S.) 1947

An application for the suppression of the specific name *Diomedea leptorhyncha* Coues, 1866, was received from Dr. George E. Watson (*U.S. National Museum, Washington D.C.*) on 30 November 1970. After some correspondence it was sent to the printer on 8 July 1971 and published on 8 December 1971 in *Bull. zool. Nomencl.* vol.28: 106. Public notice of the possible use of the plenary powers was given in the same number of the *Bulletin* and to the other prescribed serials (Constitution Article 12b; *Bull. zool. Nomencl.* vol.31: 97) and to nine ornithological serials. No comment was received.

Before it was possible to bring the case to a vote, the International Congress of Zoology (Monaco, 1972) adopted the amendments to Articles 23 and 79 of the Code that are published in *Bull. zool. Nomencl.* vol.31: 79-81 and 87-89. Dr. Watson was accordingly asked to provide a list of references to establish a prima facie case for his application under Article 79. This he did, and the list was published on 31 July 1974 in *Bull. zool. Nomencl.* vol.31: 8 (this was inadvertently given as : 64 on the Voting Paper which was sent to members of the Commission).

DECISION OF THE COMMISSION

On 16 June 1975 the members of the Commission were asked to vote under the Three-Month Rule on Voting Paper (75) 5 for or against the proposals set out in *Bull. zool. Nomencl.* vol.28: 106. At the close of the Voting Period on 16 September 1975, the state of the voting was as follows:

Affirmative votes - twenty (20) received in the following order : Eisenmann, Melville, Lemche, Willink, Dupuis, Holthuis, Vokes, Starobogatov, Mayr, Tortonese, Sabrosky, Mroczkowski, Binder, Rohdendorf, Corliss, Alvarado, Habe, Ride, Bernardi, Bayer

Negative vote - one (1): Nye

Late affirmative vote - one (1): Kraus

Leave of Absence - two (2): Brinck, Erben

Voting Papers not returned - two (2): Simpson, Heppell.

The following comments were sent in by members of the Commission with their Voting Papers:

Melville: If the name *Diomedea leptorhyncha* is unused it is because it is a nomen dubium. Suppressing it will not do any harm, but is in principle an act of supererogation.

Bernardi: "Pour", parce que le type de *Diomedea leptorhyncha* est un exemplaire immature.

Nye: I should be willing to vote in favour of a ruling that *D. irrorata* should be given nomenclatural precedence over *D. leptorhyncha* by any person who treats them as conspecific, but I am not willing to vote for the suppression of a subjective synonym when the desired aim can be achieved by the other method.

ORIGINAL REFERENCES

The following are the original references for the names placed on an Official List and Index by the ruling given in the present Opinion:

irrorata, Diomedea, Salvin, 1883, *Proc. zool. Soc. London:* 430

leptorhyncha, Diomedea, Coues, 1866, *Proc. Acad. nat. Sci. Philadelphia,* vol. 18: 178.

CERTIFICATE

I certify that the votes cast on Voting Paper (75) 5 were cast as set out above, that the proposal set out in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1060

R. V. MELVILLE
Secretary
International Commission on Zoological Nomenclature
London
31 October 1975